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AN ORDINANCE 100480

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS TO ESTABLISH NEIGHBORHOOD CONSERVATION DISTRICT 4 (NCD-4) OVERLAY DISTRICT GENERALLY BOUNDED BY LOCKHILL-SELMA ROAD TO THE NORTHEAST, WURZBACH ROAD TO THE NORTHWEST, UNION PACIFIC RAILROAD RIGHT-OF-WAY TO THE SOUTHWEST AND THE NORTHWEST PARCEL LINES OF PARCELS THAT FRONT DREAMLAND TO THE SOUTHEAST, LOCATED IN THE WHISPERING OAKS NEIGHBORHOOD, AS DESCRIBED HEREIN AND TO PROVIDE FOR A NEIGHBORHOOD CONSERVATION PLAN.

* * * * *

WHEREAS, the Neighborhood Conservation District Overlay District is provided for in Chapter 35-335 of the Unified Development Code; and

WHEREAS, a Neighborhood Conservation District Zoning Overlay may be instituted to preserve, protect, enhance and perpetuate the value of unique and distinctive residential neighborhoods or commercial districts; and

WHEREAS, on July 26, 2001, the Planning Director accepted an application submitted by the Whispering Oaks Neighborhood Association to develop a Neighborhood Conservation District Zoning Overlay to be located in the Whispering Oaks neighborhood area, hereafter described as Neighborhood Conservation District 4 (NCD-4); and

WHEREAS, the Neighborhood Conservation District 4 (NCD-4) was identified and initiated pursuant to a neighborhood petition process, involving affirmative responses to proceed, from more than 51% of affected property owners; and

WHEREAS, Neighborhood Conservation District 4 (NCD-4) satisfies the designation criteria of Chapter 35-335 (b) because:

- (1) it contains a minimum of one block face (all the lots on one side of a block);
 - (2) at least 75% of the land area in the proposed district was improved at least 25 years ago, and is presently improved;
 - (3) it possesses distinctive features that create a cohesive identifiable setting, character or association;
- and

WHEREAS, a Neighborhood Conservation District Plan was developed, and all property owners within the proposed district were afforded the opportunity to participate in drafting the Neighborhood Conservation District Plan; and

WHEREAS, the Zoning Commission on November 16, 2004 held a public hearing allowing parties in interest and citizens an opportunity to be heard and recommended that Neighborhood Conservation District 4 (NCD-4) be approved by the City Council; and

WHEREAS, the City Council aims to preserve, enhance, and perpetuate the value of this distinctive neighborhood;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning map, of the City Code of San Antonio, Texas, is amended so that it shall include the following described change of zoning classification of the following property:

CASE NO. Z2004259

The rezoning and reclassification of property to designate a "Neighborhood Conservation District 4 (NCD-4)" on the property described as follows:

Beginning at the intersection of the centerlines of Wurzbach Road and Lockhill-Selma Road;

Thence, following the centerline of Lockhill-Selma Road southeast to the intersection with a line perpendicular to the centerline of Lockhill-Selma Road and extended from the rear parcel lines of properties, specifically described as NCB 11670, Block 1, Lots 1-26, fronting Dreamland;

Thence, following the rear parcel lines of properties, specifically described as NCB 11670, Block 1, Lots 1-26 southwest to its intersection with the centerline of Union Pacific Railroad Right-of-Way;

Thence, following the centerline of Union Pacific Railroad Right-of-Way northwest to its intersection with the centerline of Wurzbach Road;

Thence, following the centerline of Wurzbach Road northeast to the point of beginning at the intersection of the centerlines of Wurzbach Road and Lockhill-Selma Road.

Such tract being more particularly described in EXHIBIT "A" attached hereto and incorporated herein for all purposes.

SECTION 2. The Neighborhood Conservation Plan that provides design standards for Neighborhood Conservation District 4 (NCD-4) is hereby approved. The Neighborhood Conservation Plan is more particularly described in EXHIBIT "B" attached hereto and incorporated herein for all purposes.

SECTION 3: All other provisions of Chapter 35, as amended shall remain in full force and effect, including the penalties for violations as provided in 35-335 (g) and Section 35-491.

SECTION 4: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 5: This ordinance shall become effective immediately upon passage if passed by eight or more votes; otherwise, this ordinance shall become effective March 6, 2005.

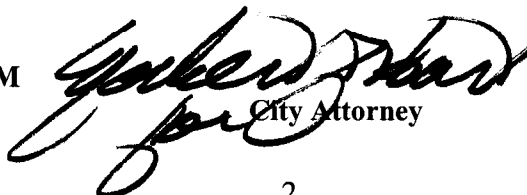
PASSED AND APPROVED this 24th day of February, 2005.

ATTEST


City Clerk


M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM


City Attorney

Agenda Voting Results

Name: 4H.

Date: 02/24/05

Time: 03:25:25 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2004259: The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning to establish Neighborhood Conservation District No. 4 (NCD-4) Overlay on property generally bound by Wurzbach Parkway on the northwest, Lockhill-Selma Road on the northeast, Dreamland on the southeast and the Union Pacific Railroad right-of-way on the southwest. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR		x		